



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,835	04/02/2004	Akira Ohmura	101985.03	8850
25944 7590 07/24/2008 OLIFF & BERRIDGE, PLC P.O. BOX 320850 ALEXANDRIA, VA 22320-4850				
EXAMINER				
BOCCTO, VINCENT F				
ART UNIT		PAPER NUMBER		
2165				
MAIL DATE		DELIVERY MODE		
07/24/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/815,835

Applicant(s)

OHMURA ET AL.

Examiner

Vincent F. Boccia

Art Unit

2165

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amend & Response of 4/17/2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/184,329.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

Art Unit: 2165

DETAILED ACTION

The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2165.

Response to Arguments

1. Applicant's arguments with respect to amended claims 11-13 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).
2. Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogawa et al. (US 6,603,506) in view of Burt et al. (US 5,649,032) and Scott (US 5,331,435).

Regarding claims 11-12, Ogawa discloses a digital camera (Fig. 1, 10), comprising:

Art Unit: 2165

- optical path (represented by the sensor path with respect to, sensor 10 a);
- an image sensor (Fig. 1, 10 a);
- a memory (10 o, col. 3);
- a display (10 i);
- a selector (col. 3 etc.....) that selects the print instruction for printing a plurality of images per one sheet (Fig. 5, "sample image table printed"); and
- a terminal (10 K to 11 e) that transfers the image data, as selected by the selector to an external printer (11, printer, camera 10 to printer 11 a 20 image print, on one sheet), wherein the terminal (point of transmission) transmits the image data directly to the external printer (point of reception), claim 11, (Fig. 1).

Ogawa discloses the camera but,

O fails to mention a lens used to form an image to be sensed/imaged, with respect to the optical path.

The examiner takes official notice that in the realm of cameras, digital camera with a lens is well known in the art, therefore, it would have been obvious to one skilled in the art at the time of the invention to modify Ogawa by providing a lens to the digital camera for the purpose of forming image to the sensor to be images, as is conventional in the art, therefore, obvious to those skilled in the art.

Regarding claim 11, Ogawa prints a plurality of images to one sheet in Fig. 5,

- but, fails to particularly disclose,

"displaying simultaneously a plurality of image data selected by the user and printing two or more images data per sheet, as part of the plurality of image data on the display".

Burt teaches a system having an associated camera for image input, a display for displaying images, wherein the system with associated camera, allows for user manipulation and altering (104), connected or associated with a printing system to print

Art Unit: 2165

selected, altered, manipulated images by a user, as taught by Burt, also see

- col. 2, lines 42-57,

"(1) mosaic based display system with printing system" and

"The mosaic based display system permits a system user to display, manipulate, search and alter a mosaic";

- col. 4, lines 12-26;
- col. 5, lines 3-8, "image printing system 106, capable of generating high resolution color or monochrome still images of the mosaic or any portion thereof."
- Figs. 5-7, user manipulation and display viewport selector 708"

Therefore, based on the above, "simultaneously displaying multiple different images, selected by a user and printed the displayed being at least two images on a sheet, is taught by Burt.

Therefore, it would have been obvious to one skilled in the art at the time of the invention to modify Ogawa with the teaching of Burt to provide the feature of displaying multiple selected images on a display and printing, as desired on one sheet, as taught by Burt.

Regarding claim 13, Ogawa further discloses an external printer (Fig. 1, camera 10 to external printer 11).

Claim 11, as amended Burt meets the limitations of, "a display for displaying the plurality of image data by a selector so as to entirely superimpose a plurality of image data and record the plurality of frames as one image.

Met by Burt,

(in view of the mosaic vs. claim language superimpose defined as: "to place or layover or above something", therefore met by the images with respect to the screen and/or images overlapping each other, also reads as superimpose).

In addition see Burt, wherein the arrangement adjuster arranges the plurality of images(see Fig. 3, "selection process 302", alignment information and "combining process 304") and further meets the limitation of superimposing images(see Fig. 2 A-C, Fig. 7, "display mosaic 706", shows superimposed mosaic images and col. 13, lines 22-36, see foreground objects or motion foreground objects with background, constructed with a coordinate system) and providing a dividing/display part(see col. 13, lines 10-21, **"tiling the display mosaic"**) that divides and displays the plurality image data selected by the selector on a display(see col. 13, lines 12-14, "These sub-mosaics can be recalled from memory, as needed, and combined with other sub-mosaics or input images to recreate any previously displayed mosaic. The alignment information for .. sub-mosaics is stored .. reassemble or some portion thereof is simple.", a designator(user's interface, as analyzed and discussed above) that designates desired image data from among the plurality of data divided and displayed on the display device by the dividing/display part, wherein the output part outputs the image

data designated by the designator to the printing device(see col. 14, lines 14-32, "a user generates a display mosaic from a series of images, then selects a desired portion of the mosaic to be printed ... the display mosaic in the viewport is printed", therefore, thru the user interface the user can window or divide and select in view of the viewport and selection of a desired portion and providing a display in tiled format).

Also additional information displayed is also met by Burt, in view of col. 4, lines 64-, "additional information ... numerical, terrain, elevation indicators showing the most recent images", also see col. 12 to col. 14, "ancillary information, highlighting, color specific areas", which shows how images are superimposed with respect to each other.

Regarding amended claim 11, which further recites, entirely superimposing a plurality of images, while Burt to the examiner in view of the mosaic generation in the vertical as well as horizontal direction is deemed met by Burt, but, for the sake of clarity the examiner cites Scott.

Scott teaches mosaic generation where user can specify a number of images around an image col. 5, and teaches by illustration that a mosaic can be around or merged images, with respect to an image, to be top, bottom and sides, and specifically mentions a center image 158 wherein a user

Art Unit: 2165

specifiable number of tiles around any side, therefore, an image can be tiles on all sides to be printed, being a mosaic function to be able to surround an image by tiles on all sides, as taught by Scott (Figs. 5 C and 5 d).

Therefore, it would have been obvious to those skilled in the art to modify the prior art by having a mosaic operation around all sides of images as taught by Scott, which is deemed to be teaching clearly all sides of images can be tiled to create mosaic images, wherein in the mosaic images can be tiles on all sides by other images, as is deemed obvious in view of mosaic generation of images, as clarified by Scott.

Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burt et al. (US 5,649,032) in view of Scott (US 5,331,435).

Regarding claims 11-13, since the claims do not recite any housing, in view of this position, all limitations are deemed met by Burt and Burt is deemed to read on the claimed invention, because it can be said that Burt discloses a camera SYSTEM comprising and comprises all claimed limitations as recited, deemed to be clearly anticipated, see the cited areas and substantially details of Burt above (see Burt Supra).

Regarding amended claim 11, which further recites, entirely superimposing a plurality of images, while Burt to the examiner

in view of the mosaic generation in the vertical as well as horizontal direction is deemed met by Burt, but, for the sake of clarity the examiner cites Scott.

Scott teaches mosaic generation where user can specify a number of images around an image col. 5, and teaches by illustration that a mosaic can be around or merged images, with respect to an image, to be top, bottom and sides, and specifically mentions a center image 158 wherein a user specifiable number of tiles around any side, therefore, an image can be tiles on all sides to be printed, being a mosaic function to be able to surround an image by tiles on all sides, as taught by Scott (Figs. 5 C and 5 d).

Therefore, it would have been obvious to those skilled in the art to modify the prior art by having a mosaic operation around all sides of images as taught by Scott, which is deemed to be teaching clearly all sides of images can be tiled to create mosaic images, wherein in the mosaic images can be tiles on all sides by other images, as is deemed obvious in view of mosaic generation of images, as clarified by Scott.

Conclusion

1. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 2165

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications should be directed to the examiner of record Vincent F. Boccio whose telephone number is (571) 272-7373.

The examiner can normally be reached on between Monday thru Friday between (7:30 am to 5:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christian Chace can be reached on (571) 272-4190.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Vincent F. Boccio/
Primary Examiner, Art Unit 2165